



Cerebral Palsy and Deaf Organization

***Mark Hill, President
1219 NE 6th Street - #219
Gresham, OR 97030
(503) 512-5066 VP
deafhill@gmail.com***

VIA ELECTRONIC FILING

**CG Docket Numbers
03-123 and 10-51**

**Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554**

March 2, 2012

Dear Ms. Dortch

This is a comment for the Federal Communication Commission's Video Relay Service ("VRS") Notice of Proposed Rulemaking ("NPRM") released on December 15, 2011 (CG Docket Numbers 03-123 and 10-51).

The Cerebral Palsy and Deaf Organization (CPADO) has expressed deep concern about the competency of interpreters staffing Video Relay Services (VRS). We have found that some of these interpreters have a difficult time understanding the signing of individuals with limited mobility, as a result of cerebral palsy, stroke, multiple sclerosis, and other disabilities. As a result, we are not getting the level of competency required to achieve functional equivalency under the Title IV of the Americans with Disabilities Act.

It is crucial that the TRS needs for deaf persons with mobility disabilities are sufficiently met on a routine daily basis. Members of the Cerebral Palsy and Deaf Organization (CPADO) have found that many interpreters have difficulty interpreting, or have refused to interpret, for individuals who are deaf and have mobility disabilities because they lack training on how to effectively meet our needs. We also find that they are refraining from attempting to interpret some of the conversation. The omissions often leads to misunderstanding or misinterpreting between the interpreters and people who are deaf and have mobility disabilities as well as the parties on the other end of the calls. Some

individuals have felt frustrated or have struggled to get their message across, especially in medical or legal situations.

It is essential that a number of interpreters throughout America gain experience working with those of us who are deaf and have mobility disabilities. Gaining the needed skills takes dedication and a commitment to the time required to become proficient. It also requires that an interpreter or a service provider communicate with us on a regular basis to understand our basic needs, issues, and preferences. (See Appendix A - a letter from a deaf woman with cerebral palsy about her experience with VRS)

As with the program to provide functionally equivalent Speech-to-Speech TRS, we suggest FCC implement a separate or similar VRS service or a pilot program that would be called a "Sign-to-Sign" TRS. This service would lessen the problem with getting qualified and highly skilled interpreters to provide effective-facilitation of call. Also, it may help some deaf consumers who are not able to use the peer-to-peer video-conferencing mode to chat with deaf consumers, like two-way VRS conversation, by either voice carryover or signing that an interpreter recognizes and voices to another VRS interpreter. The second interpreter then interprets it to a deaf consumer. We are thrilled that the 21st Century Communications and Video Accessibility Act of 2010 has a provision for such multi-translation TRS services, and we ask that we be included for such an offering.

I have interviewed two deaf persons who could not sign clearly because of limited mobility; however they are able to speak well. Both wanted to use VRS in this present form or a peer-to-peer videophone chat, but they could not use it to visit with their deaf friends or to do some personal business. There are some who are unable to voice clearly and also are not able to sign clearly. With some extensive interpreter training and identifying a number of qualified and willing interpreters to work with those of us who have mobility disabilities, we will develop some good interpreting resources and well-established policies and operating procedures, making this new form of TRS work to our benefit and that of the individuals with whom we use it to communicate. This will put us on the road to experiencing functional equivalency with our peers in both worlds, the deaf and hard of hearing, and the hearing.

And also, CPADO is in the process of developing an interpreter training program, with a curriculum focusing on key aspects of working with people with mobility disabilities, and to be familiar with their needs, issues, and preferences.

To reiterate the Consumer Groups' support for the FCC's low-cost broadband pilot program, CPADO expresses its support for the pilot program to assist low-income deaf and hard of hearing users, including deaf users with mobility disabilities, to obtain access to broadband services and equipment through the Universal Service Fund. The FCC wants to fund the TRSBPP through the TRS Fund and not USF. We feel that the FCC should fund through the USF and not have a separate but equal system. However, we've been told

that if we want the TRSBPP, it will probably have to be under the TRS Fund. So we may want to say we support the program and are ok with it being under the TRS Fund, but that the goal should be to migrate it to the USF and the FCC may want to adopt a schedule for this. Also, we fully agree with the Consumer Groups on their concerns about the broadband speed to meet videoconferencing standards for picture quality and latency. There must be some accessibility with a videophone or a videoconferencing software in order for many low-income deaf persons with mobility disabilities to take part in this pilot program.

Regarding "off the shelf" technology, CPADO gives tremendous support for a future where we experience a number of choices in equipment from VRS providers and/or mainstream companies, since some videophones currently are difficult to use or to handle, particularly those operated by remote control. CPADO encourages VRS providers and the rest of the videoconference industry to develop a better product or service to be accessible, if readily achievable, to address the unmet needs of those with mobility disabilities.

Regarding the FCC's proposed per-user methodology, CPADO opposes a lock-in with only one VRS provider, similar to what the Consumer Groups are concerned with. We believe it may affect the quality of VRS service to serve those deaf persons with mobility disabilities. We do not want a future in which we have to pick one VRS provider and be stuck with a poor or limited service for a certain period of time. We should be offered a number of providers to experience consumer choice every day, like we have in the past. Since CPADO has requested a proposed a Sign-to-Sign TRS program to help some deaf people with mobility disabilities to have functional equivalency, we are very concerned about this limit to a lock-in service. If the FCC adopts reforms such as limiting us to one choice of a provider, this will not help the Sign-to-Sign TRS program work to its full potential. CPADO respectfully opposes any lock-in proposal.

Another issue with the per user methodology is that it requires extensive time and effort of an interpreter to work with a certain VRS user with a mobility disability. This may incur a significant additional cost to serve those of us with mobility disabilities. We believe that the current per-minute methodology, or another methodology that can be conceived to address this concern, will continue to assist the FCC's efforts to minimize chance for fraud, waste, or abuse in the future with the VRS program.

Finally, CPADO really sees the importance of serving deaf and hard of hearing people, including those who are deaf-blind or are deaf along with a mobility disability, with a VRS program to fulfill the real mandates and the principle of functional equivalency with Title IV of the Americans with Disabilities Act.

Respectfully submitted,

**Mark Hill, President
Cerebral Palsy and Deaf Organization
1219 NE 6th Street - Apt. 219
Gresham, OR 97030
(503) 512-5066 VP
Email: deafhill@gmail.com**

**c.c. (by e-mail)
Karen Peltz Strauss
Gregory Hlibok
Claude Strout
Howard Rosenbaum
Andrew Phillips
Cheryl Heppner
Lyes Bousseloub
Phil Watson
Charmaine Lydon-Betjemann**

Appendix A - a letter from a deaf woman with cerebral palsy is about her experience with VRS -

To whom it may concern,

As someone who is actively involved in advocacy within the Deaf Community and the Deaf with Cerebral Palsy community, I find that the Video Relay System is worth the wait for 20 – 25 years! I have heavily utilized the TTY from 1990 onwards. TTY conversations were slow and cumbersome; with many hearing parties being frustrated and hanging up on me. When the VRS came into being years ago, it was the answer to the Deaf Community's prayers. Now conversations could be conducted in real time!

However, due to my cerebral palsy impacting the ability to sign clearly, I find myself in a bind. There have been situations in which my statements have been misunderstood or misconstrued by the other party in which the interpreter assigned to my calls did not clearly understand my signs. It has impacted across the board: financial areas such as banking and bill paying, job situations, setting up appointments with the doctor's office or the dentist's office, etc. I often have to watch the interpreter like a hawk if he or she is relaying what I am saying. Quite a few times, I have busted them and a few times I asked to change interpreters if the first interpreter shows incompetency or a lack of knowledge in reciprocity.

I am always eternally grateful for the fact that I have excellent lip-reading skills in which I have to recorrect the interpreter for misconstruing what I have to say. I can use my voice in certain situations if the other party understands my speech and its patterns but I would rather not risk it. Sometimes, I find myself asking the interpreter to voice over for me to the other party.

I strongly propose that the FCC should, in all means, ensure a better VRS for deaf people with mobility disability.

**Cordially,
(Name and address withheld)**